

<b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)	Application Number	10/712,126
	Filing Date	November 13, 2003
	First Named Inventor	Kazuhisa Yamamoto et al.
	Art Unit	2828
	Examiner Name	Dung T. Nguyen
Total Number of Pages in This Submission	Attorney Docket No.	SNK-3750US4

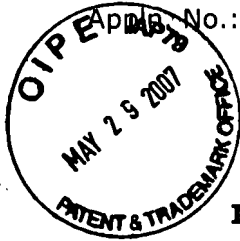
ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached  <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/Declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input checked="" type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application  <input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address  <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund  <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)  <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):  Return Postcard
<b>Remarks:</b>		

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT			
Firm Name	RatnerPrestia		
Signature			
Printed Name	Lawrence E. Ashery		
Date	May 25, 2007	Registration No.	34,515

CERTIFICATE OF TRANSMISSION / MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:			
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Typed or Printed Name	Deborah Spratt	Date	May 25, 2007

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Office, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, ALEXANDRIA, VA 22313-1450.

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App. No.: 10/712,126

SNK-3750US4

DAC/  
IFW

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Appln. No.: 10/712,126  
Applicant: Kazuhisa YAMAMOTO et al.  
Filed: November 13, 2003  
Title: OPTICAL DEVICE, LASER BEAM SOURCE, LASER APPARATUS AND  
METHOD OF PRODUCING OPTICAL DEVICE  
TC/A.U.: 2828  
Examiner: Dung T. Nguyen  
Confirmation No.: 7681  
Docket No.: SNK-3750US4

**PETITION UNDER 37 C.F.R. §1.181  
FOR ACKNOWLEDGEMENT OF PRIORITY CLAIM**

Mail Stop Issue Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

S I R :

This Petition is being filed in response to the Notice of Allowance dated **May 22, 2007** to request a Supplemental Notice of Allowance which acknowledges Applicants' foreign priority claim.

As evidenced by the Filing Receipt and the Declaration and Power of Attorney, a claim for foreign priority has been made and certified copies of the priority documents have been received.

Accordingly, the foreign priority claim should be acknowledged on the Notice of Allowance.

Issuance of a Supplemental Notice of Allowance is respectfully requested.

It is respectfully requested that issuance of a Patent from the above-identified application be suspended until the requested acknowledgements are provided.

Respectfully submitted,

  
Lawrence E. Ashery, Reg. No. 34,515  
Attorney for Applicants

LEA/ds

Enclosures: Copy of Filing Receipt  
Copy of Declaration and Power of Attorney

Dated: May 25, 2007

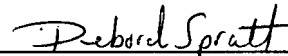
P.O. Box 980  
Valley Forge, PA 19482  
(610) 407-0700

The Director is hereby authorized to charge or credit Deposit Account No. **18-0350** for any additional fees, or any underpayment or credit for overpayment in connection herewith.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to:  
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May 25, 2007

Deborah Spratt



ds/155553



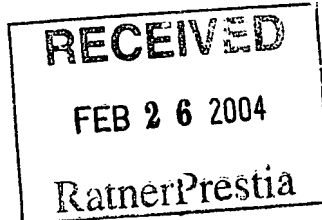
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APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/712,126	11/13/2003	2828	856	YAO-3750US4	30	13	4

23122  
RATNERPRESTIA  
P O BOX 980  
VALLEY FORGE, PA 19482-0980



CONFIRMATION NO. 7681

FILING RECEIPT



\*OC000000011955259\*

Date Mailed: 02/24/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

**Applicant(s)**

Kazuhisa Yamamoto, Osaka, JAPAN;  
Kiminori Mizuuchi, Osaka, JAPAN;  
Yasuo Kitaoka, Osaka, JAPAN;  
Makoto Kato, Nishinomiya-shi, JAPAN;

**Domestic Priority data as claimed by applicant**

This application is a DIV of 09/922,978 08/06/2001  
which is a DIV of 08/973,380 03/16/1998 PAT 6,333,943

**Foreign Applications**

JAPAN 7-136471 06/02/1995  
JAPAN 7-168461 07/04/1995

If Required, Foreign Filing License Granted: 02/23/2004

Projected Publication Date: 06/03/2004

Non-Publication Request: No

Early Publication Request: No

Title

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Optical device, laser beam source, laser apparatus and method of producing optical device

Preliminary Class

372

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**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

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**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

COPY



**COPY**

## Declaration and Power of Attorney For Patent Application English Language Declaration

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled OPTICAL DEVICE, LASER BEAM SOURCE, LASER APPARATUS AND METHOD OF PRODUCING OPTICAL DEVICE the specification of which is attached hereto unless the following box is checked:

☒ was filed on 30/05/1996 as

United States Application Number or PCT International Application Number PCT/JP96/01472 and was amended on 1/05/1997 (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)			Priority Not Claimed
<u>7-136471</u>	<u>Japan</u>	<u>02/06/1995</u>	<input type="checkbox"/>
(Number)	(Country)	(Day/Month/Year Filed)	
<u>7-168461</u>	<u>Japan</u>	<u>04/07/1995</u>	<input type="checkbox"/>
(Number)	(Country)	(Day/Month/Year Filed)	

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below.

\_\_\_\_\_  
(Application Number) (Filing Date)

\_\_\_\_\_  
(Application Number) (Filing Date)

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:



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(Application Number) (Filing Date) (Status - patented, pending, abandoned)

(Application Number) (Filing Date) (Status - patented, pending, abandoned)

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

Paul F. Prestia	Reg.No. 23,031	Lawrence E. Ashery	Reg.No. 34,515	Louis W. Beardell	Reg.No. P40,506
Allan Ratner	Reg.No. 19,717	Christopher R. Lewis	Reg.No. 36,201	Ian M. Hughes	Reg.No. P41,083
Andrew L. Ney	Reg.No. 20,300	Steven E. Koffs	Reg.No. 37,163	Basil S. Krikelis	Reg.No. P41,129
Kenneth N. Nigon	Reg.No. 31,549	Anthony L. DiBartolomeo	Reg.No. 37,308		
Kevin R. Casey	Reg.No. 32,117	Allan M. Wheatcraft	Reg.No. 36,307		
Guy T. Donatiello	Reg.No. 33,167	Anthony Grillo	Reg.No. 36,535		
Benjamin E. Leace	Reg.No. 33,412	Leon Nigohosian, Jr.	Reg.No. 39,791		
James C. Simmons	Reg.No. 24,842	Jonathan M. Waldman	Reg.No. P40,861		

Address all correspondence to: Paul F. Prestia

Ratner & Prestia, Suite 301, One Westlakes, Berwyn, P.O. Box 980, Valley Forge, PA 19482-0980

Address all telephone calls to: Steven E. Koffs at (610) 407-0700.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor (given name, family name) Kazuhisa YAMAMOTO

Inventor's signature Kazuhisa Yamamoto Date February 27, 1998  
Residence Takatsuki-shi, Osaka Japan  
Citizenship Japan  
Post Office Address 30-4, Kamihamuro 3-chome,  
Takatsuki-shi, Osaka 569 Japan

Full name of second joint inventor, if any (given name, family name) Kiminori MIZUUCHI

Second Inventor's signature Kiminori Mizuuchi Date February 27, 1998  
Residence Neyagawa-shi, Osaka Japan  
Citizenship Japan  
Post Office Address 30-5-206, Mii-minamimachi,  
Neyagawa-shi, Osaka 572 Japan

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☒ Additional inventors are being named on separately numbered sheets attached hereto.



COPY

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Full name of third joint inventor, if any (given name, family name) Yasuo KITAOKA

Third inventor's signature Yasuo Kitaoka Date February 27, 1998

Residence Kawachinagano-shi, Osaka Japan

Citizenship Japan

Post Office Address 16-14, Midorigaoka-nakamachi,  
Kawachinagano-shi, Osaka 586 Japan

Full name of fourth joint inventor, if any (given name, family name) Makoto KATO

Fourth inventor's signature Makoto Kato Date February 27, 1998

Residence Nishinomiya-shi, Hyogo-ken Japan

Citizenship Japan

Post Office Address 10-43, Matsuzono-cho, Nishinomiya-shi,  
Hyogo-ken 662 Japan

Full name of fifth joint inventor, if any (given name, family name) \_\_\_\_\_

Fifth inventor's signature \_\_\_\_\_ Date \_\_\_\_\_

Residence \_\_\_\_\_

Citizenship \_\_\_\_\_

Post Office Address \_\_\_\_\_

Full name of sixth joint inventor, if any (given name, family name) \_\_\_\_\_

Sixth inventor's signature \_\_\_\_\_ Date \_\_\_\_\_

Residence \_\_\_\_\_

Citizenship \_\_\_\_\_

Post Office Address \_\_\_\_\_

Full name of seventh joint inventor, if any (given name, family name) \_\_\_\_\_

Seventh inventor's signature \_\_\_\_\_ Date \_\_\_\_\_

Residence \_\_\_\_\_

Citizenship \_\_\_\_\_

Post Office Address \_\_\_\_\_

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